

DAH - HISTORIC PRESERVATION

Enabling Laws

Act 2019 of 2005.

A.C.A. § 13-7-1 & 13-7-5

History and Organization

The Arkansas Historic Preservation Program (AHPP) was created by the Arkansas General Assembly in 1969. The mission of the Arkansas Historic Preservation Program is to fulfill the objectives of the National Historic Preservation Act through the identification, preservation, and protection of the cultural resources of the State of Arkansas. The AHPP is charged with "conducting relations with representative of the federal government, the respective offices in other states, governmental units within Arkansas, organizations and individuals with regard to matters of historic preservation including the program carried out under Public Law 89-655 (16 U.S.C. & 470, et seq.)" by Act 480 of 1977 as amended. In 1975 AHPP became a division of the Department of Arkansas Heritage.

Statutory Responsibilities:

The state and federal legislation that jointly set out the AHPP responsibilities specify areas in which the Agency must operate. These include: the development of a plan for the historic, architectural, and cultural resources of the State; the conduct of surveys of those resources; the acceptance of conservation easements on those resources; the preparation of nominations to the National Register of Historic Places; administration of a review procedure for publicly funded undertakings that may affect historic properties within the State; administration of the federal preservation tax incentives program for the State; the provision of technical assistance to historic property owners; and administration of the Certified Local Government (CLG) program. Currently there are 10 CLG cities.

Activities:

AHPP administers the Main Street Arkansas program and various grant programs. Act 729 of 1987, which established the Arkansas Natural and Cultural Resources Council (ANCR) and Trust fund, provides funding for operation of Main Street Arkansas and AHPP activities utilizing Real Estate Transfer Tax (RETT) funds.

The objective of Main Street Arkansas is to achieve economic revitalization of the downtowns of Arkansas cities with a four point approach: organization, design, economic restructuring, and promotion. Seventeen Arkansas cities are currently actively involved in the program. Also utilizing RETT funds, AHPP is administering a Model Business grants program and a Downtown Revitalization grants program for the active Main Street cities. Main Street Arkansas has also started a new initiative, the Arkansas Downtown Network, to provide services to a broader audience.

There are two cities in this pilot program: Little Rock South Main and Pine Bluff. In addition to downtown revitalization, Main Street Arkansas is a key partner in the Rural Heritage Development

Initiative, using heritage based economic development to strengthen the economy in the Arkansas Delta. Arkansas was chosen in 2006 as one of two national pilots and partners with the National Trust for Historic Preservation and the W.K. Kellogg Foundation in this effort.

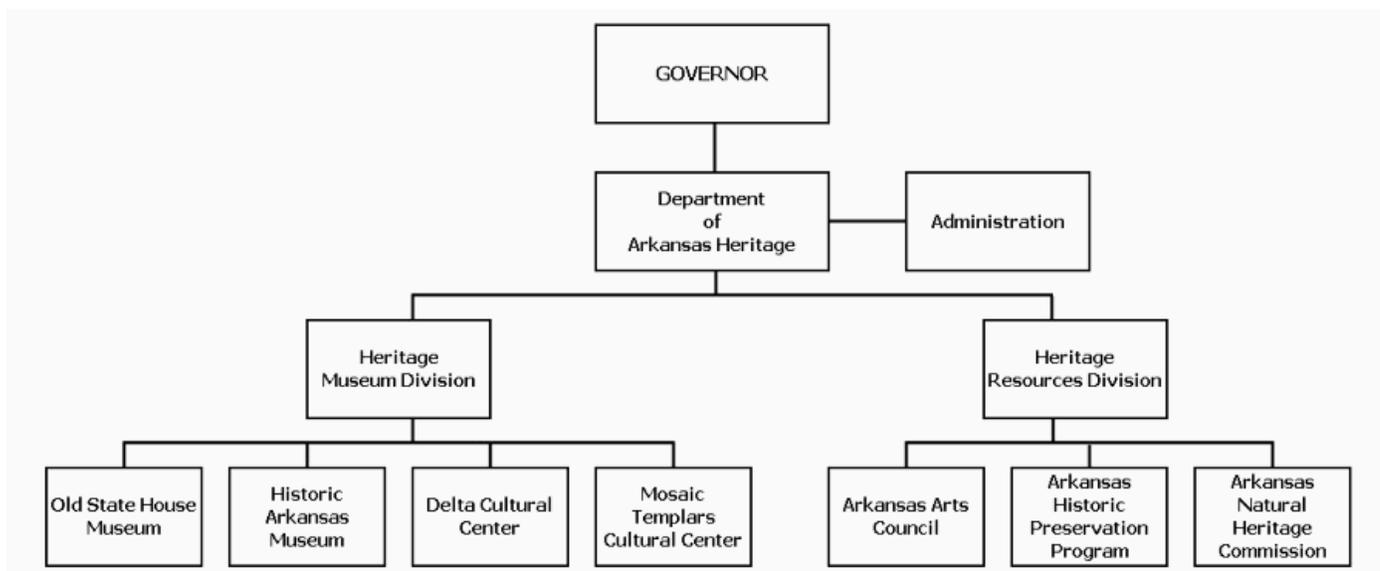
AHPP also administers an annual County Courthouse Restoration Grants program, an Education Grants program, and a Historic Preservation Restoration Grants program utilizing RETT funds.

The Agency also administers the federally funded Certified Local Government (CLG) grant program. A minimum of 10% of the annual federal funds received are required to be passed through to CLG cities under this competitive grant program. In addition, AHPP will supplement the federal funds with RETT funds for these CLG grants.

The AHPP is active in public information and education outreach efforts in both the elementary schools and adult groups throughout the State.

Review Committee:

The Arkansas Historic Preservation Program maintains an eleven member Review Committee whose members' appointments, qualifications and responsibilities in the administration of the program are in accordance with those defined in 36 CFR 61.4 and Act 1977, #480.



Agency Commentary

See Agency Commentary in DAH - Central Administration.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
 AUDIT OF :
 DEPARTMENT OF ARKANSAS HERITAGE – HISTORIC PRESERVATION
 FOR THE YEAR ENDED JUNE 30, 2004

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	12	11	23	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			23	100 %

Publications

A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
None	N/A	N	N	0	N/A

Department Appropriation Summary

Historical Data						Agency Request and Executive Recommendation								
Appropriation	2005-2006		2006-2007		2006-2007		2007-2008				2008-2009			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
477 HP-Real Estate Transfer Tax	2,358,060	17	2,497,900	8	0	8	0	9	0	8	0	9	0	8
491 Historic Preservation-Fed Prog	552,933	8	1,273,188	17	1,415,222	17	1,279,453	17	1,279,453	17	1,279,453	17	1,279,453	17
960 Main Street Cash in Treasury	17,257	0	15,350	0	50,000	0	19,350	0	19,350	0	28,350	0	28,350	0
NOT REQUESTED FOR THE BIENNIUM														
2JH Historic Preservation-Treasury	4,320	0	198	0	4,800	0	0	0	0	0	0	0	0	0
Total	2,932,570	25	3,786,636	25	1,470,022	25	1,298,803	26	1,298,803	25	1,307,803	26	1,307,803	25

Funding Sources		%		%		%		%		%		%	
Fund Balance 4000005	402,681	12.2	365,469	9.6		11,323	0.9	11,323	0.9	7,973	0.6	7,973	0.6
Federal Revenue 4000020	552,933	16.8	1,273,188	33.5		1,279,453	97.9	1,279,453	97.9	1,279,453	97.8	1,279,453	97.8
Cash Fund 4000045	6,838	0.2	11,250	0.3		16,000	1.2	16,000	1.2	20,377	1.6	20,377	1.6
Real Estate Transfer Tax 4000403	2,335,587	70.8	2,148,052	56.6		0	0.0	0	0.0	0	0.0	0	0.0
Total Funds	3,298,039	100.0	3,797,959	100.0		1,306,776	100.0	1,306,776	100.0	1,307,803	100.0	1,307,803	100.0
Excess Appropriation/(Funding)	(365,469)		(11,323)			(7,973)		(7,973)		0		0	
Grand Total	2,932,570		3,786,636			1,298,803		1,298,803		1,307,803		1,307,803	

Actual and Budgeted exceeds Authorized Appropriation in the Historic Preservation Real Estate Transfer Tax appropriation (477) due to a transfer from the Natural and Cultural Resources Council Grant Fund (481) by authority of A.C.A. § 15-12-103 (3).

Actual and/or Budgeted Number of Positions may exceed the Authorized Number due to the flexibility inherent in the authorization of all positions through one salary section in appropriation acts.

Agency Position Usage Report

FY2004-2005						FY2005-2006						FY2006-2007					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
24	23	1	24	0	4.17%	25	23	2	25	0	8.00%	25	23	2	25	0	8.00%

Analysis of Budget Request

Appropriation: 477 - HP-Real Estate Transfer Tax

Funding Sources: TGP Natural & Cultural Resources Historic Preservation

This appropriation provides for state grant funding collected from the Real Estate Transfer Tax for Historic Preservation/Main Street Programs. The Director of the Department of Arkansas Heritage is designated as the disbursing officer for grant funding and appropriation provided by the Natural and Cultural Resources Council (NCRC).

According to A.C.A. § 15-12-103 (3), "Ten percent (10%) of the net amount [of the Real Estate Transfer Tax, after deducting 3% for the Constitutional Officers Fund] shall be credited to a fund to be known as the 'Natural and Cultural Resources Historic Preservation Trust Fund', to be used by the Council for providing a source of funds for the operation of the state historic preservation program and the 'Main Street' program."

Under this authority, the Natural and Cultural Resources Council is authorized to grant appropriation and funding to the Historic Preservation Program pursuant to special language in Section 40 of Act 2019 of 2005 [Appropriation 481]. This authorization entrusts the Director of the Department of Arkansas Heritage to allocate grant appropriation and funding as determined by the conditions of the grant and the state agency.

The Agency's Change Level request provides for one (1) Archeologist (Grade 20). The annual salary for this position is \$29,394 each year, with a corresponding match of \$10,496. This position will be assigned to the Review and Compliance program and will mainly oversee compliance with a large number of pending land-leveling, irrigation, and gas mining projects. The Department will supply the appropriation for this position from its Real Estate Transfer Tax appropriation transfer authority.

The Executive Recommendation provides for Base Level positions only.

Appropriation Summary

Appropriation: 477 HP-Real Estate Transfer Tax
Funding Sources: TGP Natural & Cultural Resources Historic Preservation

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	704,871	383,709	0	0	0	0	0	0	0
#Positions		17	8	8	8	9	8	8	9	8
Extra Help	5010001	43,441	39,532	0	0	0	0	0	0	0
#Extra Help		4	4	4	4	4	4	4	4	4
Personal Services Matching	5010003	212,481	111,376	0	0	0	0	0	0	0
Operating Expenses	5020002	365,811	559,375	0	0	0	0	0	0	0
Conference & Travel Expenses	5050009	53,716	49,000	0	0	0	0	0	0	0
Professional Fees	5060010	81,123	198,500	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	845,622	1,144,408	0	0	0	0	0	0	0
Capital Outlay	5120011	50,995	12,000	0	0	0	0	0	0	0
Total		2,358,060	2,497,900	0	0	0	0	0	0	0
Funding Sources										
Fund Balance	4000005	372,321	349,848		0	0	0	0	0	0
Real Estate Transfer Tax	4000403	2,335,587	2,148,052		0	0	0	0	0	0
Total Funding		2,707,908	2,497,900		0	0	0	0	0	0
Excess Appropriation/(Funding)		(349,848)	0		0	0	0	0	0	0
Grand Total		2,358,060	2,497,900		0	0	0	0	0	0

Actual and Budgeted exceeds Authorized Appropriation (477) due to a transfer from the Natural and Cultural Resources Council Grant Fund (481) by authority of A.C.A. § 15-12-103 (3).

Actual and/or Budgeted Number of Positions may exceed the Authorized Number due to the flexibility inherent in the authorization of all positions through one salary section in the appropriation act.

Change Level by Appropriation

Appropriation:

477-HP-Real Estate Transfer Tax

Funding Sources:

TGP Natural & Cultural Resources Historic Preservation

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	x	0	8	0	x
C01	Existing Program	0	1	0	x	0	1	0	x

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	100.0	0	8	0	100.0
C01	Existing Program	0	0	0	100.0	0	0	0	100.0

Justification

C01	<p>The request is for an Archeologist, grade 20. The annual salary for this position is \$29,394 with a corresponding match of \$10,496. This position will be assigned to the Review and Compliance program area. The Agency is anticipating a large increase in the number of federal undertakings statewide in the next five years. These will be generated by large highway projects such as the proposed I-69 corridor in Southeast Arkansas; continuing land-leveling and irrigation projects overseen by the USDA and Natural Resources Conservation Service; and continuing construction of wireless communication towers. Perhaps the largest increase will be in permits issued for drilling and construction of gas transport facilities associated with the extraction of natural gas from the Fayetteville Shale in north central Arkansas. The Agency's current projections suggest that full-scale gas mining could raise the number of undertakings reviewed by our archeologist from 4,500 each year to 7,000 each year by 2010.</p>
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Analysis of Budget Request

Appropriation: 491 - Historic Preservation-Fed Prog

Funding Sources: FHP Historic Preservation Federal

This appropriation provides federal funding for the Historic Preservation Program. The Historic Preservation Program is charged with coordinating the State Historic Preservation Plan with the representatives of the Federal Government, other States, and governmental units within Arkansas, State Agencies, organizations, and individuals with regard to matters of historic preservation (A.C.A. §13-7-106).

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to the Social Security Tax maximum income limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Agency Request is for Base Level.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 491 Historic Preservation-Fed Prog
Funding Sources: FHP Historic Preservation Federal

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	259,422	602,412	722,734	602,412	602,412	602,412	602,412	602,412	602,412
#Positions		8	17							
Extra Help	5010001	6,456	18,672	18,672	18,672	18,672	18,672	18,672	18,672	18,672
#Extra Help		2	2	2	2	2	2	2	2	2
Personal Services Matching	5010003	76,806	188,564	210,276	194,829	194,829	194,829	194,829	194,829	194,829
Operating Expenses	5020002	60,400	205,394	205,394	205,394	205,394	205,394	205,394	205,394	205,394
Conference & Travel Expenses	5050009	4,904	5,046	5,046	5,046	5,046	5,046	5,046	5,046	5,046
Professional Fees	5060010	0	44,000	44,000	44,000	44,000	44,000	44,000	44,000	44,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	144,945	209,100	209,100	209,100	209,100	209,100	209,100	209,100	209,100
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		552,933	1,273,188	1,415,222	1,279,453	1,279,453	1,279,453	1,279,453	1,279,453	1,279,453
Funding Sources										
Federal Revenue	4000020	552,933	1,273,188		1,279,453	1,279,453	1,279,453	1,279,453	1,279,453	1,279,453
Total Funding		552,933	1,273,188		1,279,453	1,279,453	1,279,453	1,279,453	1,279,453	1,279,453
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		552,933	1,273,188		1,279,453	1,279,453	1,279,453	1,279,453	1,279,453	1,279,453

Analysis of Budget Request

Appropriation: 960 - Main Street Cash in Treasury

Funding Sources: NNH Natural and Cultural Resources Historic Preservation

The Main Street Program was established in 2001 and works with local communities to revitalize downtown commercial areas throughout Arkansas. The Agency utilizes this appropriation to provide professional services and educational training meetings to support Main Street activities. Funding is derived from cash funds generated by technical assistance receipts collected for the Historic Preservation Main Street Program.

The Agency's Change Level request totaling \$4,000 in FY08 and \$13,000 in FY09 in Operating Expense provides for office supplies, printing, and other costs associated with Main Street Arkansas meetings.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 960 Main Street Cash in Treasury
Funding Sources: NNH Natural and Cultural Resources Historic Preservation

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses 5020002	17,257	5,350	40,000	5,350	9,350	9,350	5,350	18,350	18,350
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	17,257	15,350	50,000	15,350	19,350	19,350	15,350	28,350	28,350
Funding Sources									
Fund Balance 4000005	30,282	15,423		11,323	11,323	11,323	11,973	7,973	7,973
Cash Fund 4000045	2,398	11,250		16,000	16,000	16,000	20,377	20,377	20,377
Total Funding	32,680	26,673		27,323	27,323	27,323	32,350	28,350	28,350
Excess Appropriation/(Funding)	(15,423)	(11,323)		(11,973)	(7,973)	(7,973)	(17,000)	0	0
Grand Total	17,257	15,350		15,350	19,350	19,350	15,350	28,350	28,350

Change Level by Appropriation

Appropriation: 960-Main Street Cash in Treasury

Funding Sources: NNH Natural and Cultural Resources Historic Preservation

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	15,350	0	15,350	100.0	15,350	0	15,350	100.0
C01	Existing Program	4,000	0	19,350	126.0	13,000	0	28,350	184.6

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	15,350	0	15,350	100.0	15,350	0	15,350	100.0
C01	Existing Program	4,000	0	19,350	126.0	13,000	0	28,350	184.6

Justification

C01	This request is to increase appropriation to cover costs of office supplies and printing associated with Main Street Arkansas meetings.
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Appropriation Summary

Appropriation: 2JH Historic Preservation-Treasury
Funding Sources: NNH - DAH - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses 5020002	4,320	198	4,800	0	0	0	0	0	0
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	0	0	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	4,320	198	4,800	0	0	0	0	0	0
Funding Sources									
Fund Balance 4000005	78	198		0	0	0	0	0	0
Cash Fund 4000045	4,440	0		0	0	0	0	0	0
Total Funding	4,518	198		0	0	0	0	0	0
Excess Appropriation/(Funding)	(198)	0		0	0	0	0	0	0
Grand Total	4,320	198		0	0	0	0	0	0

THIS APPROPRIATION IS NOT REQUESTED FOR THE NEW BIENNIUM.